

1 THE HONORABLE LONNY R. SUKO
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7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF WASHINGTON
9 AT SPOKANE

10 KENNETH R. EVANS, an individual, }
11 Plaintiff, }
12 v. }
13 }
14 BANK OF NEW YORK MELLON, a }
15 New York corporation; BAC HOME }
16 LOANS SERVICING, LP, f/k/a }
17 COUNTRYWIDE HOME LOANS, a }
18 Texas corporation; RECONTRUST }
19 COMPANY, N.A., a national }
20 association; MORTGAGE }
21 ELECTRONIC REGISTRATION }
22 SYSTEMS, INC., a Delaware }
23 corporation; and JOHN DOES 1-10, }
24 certificate holders of CWABS, Inc., }
25 Asset-Backed Certificates, Series 2006- }
26 21, }
27 Defendants. }

No. 2:11-cv-00210 LRS

ORDER OF DISMISSAL

**CLERK'S ACTION
REQUIRED**

**NOTED ON MOTION
CALENDAR: MARCH 11, 2014**

20 THIS MATTER having come before the Court upon the parties'
21
22 Stipulation for Voluntary Dismissal and the Court finding good cause to effect
23 the stipulation, it is hereby ORDERED:

24 1. All claims and allegations dismissed pursuant to Order of this
25 Court dated September 8, 2011 (ECF No. 28), are dismissed with prejudice, in
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ORDER OF DISMISSAL - 1
Case No. 2:11-cv-00210-LRS

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1 their entirety, as to all parties. Plaintiff Kenneth Evans forfeits any right he
2 may possess to re-file said claims and allegations or to appeal the Order of this
3 Court dated September 8, 2011 (ECF No. 28).

4 2. The claims and allegations not dismissed pursuant to Order of
5 this Court dated September 8, 2011 (ECF No. 28), are dismissed without
6 prejudice.
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8 3. Notwithstanding Paragraphs 1 and 2, above, no attorneys' fees or
9 costs associated with the above-captioned action are awarded to either party;
10 any claims, prayers, or demands for attorneys' fees and costs pled in the above-
11 captioned action or associated with any claim(s) or allegation(s) pled in the
12 above-captioned action are dismissed with prejudice as to all parties.

4. All funds deposited in the Court registry by Plaintiff Kenneth
Evans, relative to the above-captioned action, are released to Plaintiff Kenneth
Evans.

IT IS SO ORDERED. The District Court Executive is directed to CLOSE THE FILE.

DATED: March 14, 2014.

s/Lonny R. Suko

LONNY R. SUKO
SENIOR UNITED S. D. COURT JUDGE

ORDER OF DISMISSAL - 2

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ORDER OF DISMISSAL - 3
Case No. 2:11-cv-00210-LRS

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